5: Bahrain G-5 (1926-1937) 1937 MZ2 Bahrain MZ2

need not be registered, but the existence of a Government title deed ensures that the property is free from claims. Before this rule was made, cases frequently occured in the courts in which the same property was mortgaged to two different people.

647
423

Government Title Deeds. Government title deeds are hand-written documents in Arabic, describing the property with all measurements, boundaries, water rights, and particulars, and on the reverse of each title deed there is a plan of the property with measurements shown in feet and inches. The documents are signed on both sides by the Ruler, the Adviser, and the Superintendent of the Land Department. A person wishing to register his property makes a written application to the Land Registration Department. The property is surveyed by the Land Department surveyors in the presence of the owner or his agent, or, in the case of a sale, in the presence of both parties; if necessary, boundary pillars are erected. A proclamation is then issued, calling on all persons having any claim on the property to submit claims in writing within fifteen to thirty days in the case of a sale, and ninety days in the case of registration of ownership. Claims are forwarded to the Bahrain Court by the Land Department and are decided by the court, which also examines all applications for titles before the final documents are issued. The procedure is somewhat slow, but it is effective, and since it has been in force the number of disputes about land, boundaries, water rights, and fish-traps is gradually declining. Fees are charged for registration of sales according to a sliding scale in the case of sales, depending upon the sale price, and at a fixed rate in the case of registration of ownership. The fees in the latter case are low and do not cover in some cases the cost of the work, but it is to the advantage of the public and the Government that as much property as possible should be registered and, to encourage registration, fees are small. Between 400 and 500 title deeds have been issued by the department every year during the last ten years, and each year there has been a gradual but steady increase in applications for registration of ownership.

Fish-Traps. In 1353 (1934) all fish-traps round the coast of Bahrain and the various islands were registered, and rules were laid down with the object of preventing people from erecting and then claiming ownership to fish-traps on Government property. It was enacted that the owners of fish-traps had no rights over the boundaries mentioned in their title deeds, except as far as protection from other persons who might wish to erect fish-traps within the area described. In many cases great pieces of the sea were described in old documents as being the boundaries of a certain fish-trap, and if full ownership to these areas was admitted, valuable land along the foreshore would be lost to the Government if the owners chose to reclaim it. The department dealt with the question of a batch of very valuable traps close to the Bahrain Petroleum Company's pier at Sitrah, and was mainly responsible for arranging a settlement between the Bahrain Petroleum Company and the owners of the traps.

226

Land Leases and Government Forms. In addition to survey and registration work, the Land Department is responsible for leasing Government land, mostly in the neighbourhood of Manamah, to persons who live upon it in Barastis. The rents are very low, but the existence of a regular agreement between the Government and the occupier of the ground ensures that the Government retains its ownership of the land. In Bahrain, ten years' undisputed and uninterrupted occupation is sufficient to establish the ownership of the ground. Printed Government forms, the use of which is compulsory in the case of sanads, powers of attorney, and diving 'barwas,' etc., are sold by the Land Department, and every year over 15,000 of these forms are purchased by the public.

427
475

The revenue collected by the Land Department does not cover the cost of the department, but the value of land registration to the Government and to the public is very great. The continued success of the registration work can only be ensured as long as the principle that Government title deeds, when once issued, cannot be contested is maintained. Frequent attempts have been made, usually by influential personages, to set aside title deeds, but so far without success. If one case of this kind should meet with success, the whole system would be seriously affected.